

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2001-174-C - ORDER NO. 2004-35
JANUARY 23, 2004

IN RE: Application of El Paso Networks, L.L.C. to)	ORDER CANCELLING
Cancel its Certificate of Public Convenience)	CERTIFICATE <i>ja</i>)
and Necessity to Provide Competitive Local)	
Exchange Telecommunications Services,)	
Facilities-Based Interexchange)	
Telecommunications Services and Flexible and)	
Alternative Regulation.)	

This matter comes before the Public Service Commission of South Carolina ("Commission") on the request of El Paso Networks, L.L.C. ("EPN" or the "Company") to cancel its Certificate of Public Convenience and Necessity to provide local exchange and intrastate interexchange telecommunications services in the State of South Carolina without prejudice. A review of the docket file reveals that the Commission granted EPN authority to provide competitive local exchange and facilities-based interexchange telecommunications services in South Carolina with flexible regulation of local exchange services and alternative regulation of long distance services by Order No. 2001-885, dated August 24, 2001.

EPN, by letter dated January 5, 2004, advised the Commission that the Company desires to surrender its Certificate of Public Convenience and Necessity without prejudice. EPN asserts in its request that the Company has not provided telecommunications services to customers in South Carolina and adds that EPN does not have any loop, transport or switching facilities in the State.

As EPN, by the Company's own acknowledgement, is not providing the services for which its Certificate of Public Convenience and Necessity was granted, the Commission finds and concludes that EPN's Certificate of Public Convenience and Necessity to provide local exchange and interexchange telecommunications services within the State of South Carolina should be cancelled without prejudice.

IT IS THEREFORE ORDERED THAT:

1. The Certificate of Public Convenience and Necessity to provide competitive local exchange and facilities-based interexchange telecommunications services in South Carolina with flexible regulation of local exchange services and alternative regulation of long distance services authorized by Order No. 2001-885, dated August 24, 2001, issued in the instant docket to El Paso Networks, L.L.C. is hereby cancelled without prejudice.

2. This Order shall remain in full force and effect until further Order of the Commission.



Mignon L. Clyburn, Chairman

ATTEST:



Bruce F. Duke, Executive Director

(SEAL)